CRAVATH, SWAINE & MOORE LLP

JOHN W. WHITE EVAN R. CHESLER RICHARD W. CLARY STEPHEN L. GORDON ROBERT H. BARON DAVID MERCADO CHRISTINE A. VARNEY PETER T. BARBUR THOMAS G. RAFFERTY MICHAEL S. GOLDMAN RICHARD HALL JULIE A. NORTH ANDREW W. NEEDHAM STEPHEN L. BURNS KATHERINE B. FORREST KEITH R. HUMMEL DAVID J. KAPPOS DANIEL SLIFKIN ROBERT I. TOWNSEND, III PHILIP J. BOECKMAN WILLIAM V. FOGG FAIZA J. SAEED RICHARD J. STARK THOMAS E. DUNN

MARK I. GREENE

DAVID R. MARRIOTT MICHAEL A. PASKIN ANDREW J. PITTS MICHAEL T. REYNOLDS ANTONY L. RYAN GEORGE E. ZOBITZ GEORGE A. STEPHANAKIS DARIN P. MCATEE GARY A. BORNSTEIN TIMOTHY G. CAMERON KARIN A. DEMASI DAVID S. FINKELSTEIN DAVID GREENWALD RACHEL G. SKAISTIS PAUL H. ZUMBRO ERIC W. HILFERS GEORGE F. SCHOEN ERIK R. TAVZEL CRAIG F. ARCELLA DAMIEN R. ZOUBEK LAUREN ANGELILLI TATIANA LAPUSHCHIK ALYSSA K. CAPLES JENNIFER S. CONWAY MINH VAN NGO

WORLDWIDE PLAZA 825 EIGHTH AVENUE NEW YORK, NY 10019-7475

TELEPHONE: +1-212-474-1000 FACSIMILE: +1-212-474-3700

CITYPOINT
ONE ROPEMAKER STREET
LONDON ECZY 9HR
TELEPHONE: +44-20-7453-1000
FACSIMILE: +44-20-7860-1150

writer's direct dial number +1-212-474-1650

writer's email address lkennedy@cravath.com

KEVIN J. ORSINI MATTHEW MORREALE JOHN D. BURETTA J. WESLEY EARNHARDT YONATAN EVEN BENJAMIN GRUENSTEIN JOSEPH D. ZAVAGLIA STEPHEN M. KESSING LAUREN A. MOSKOWITZ DAVID J. PERKINS JOHNNY G. SKUMPIJA J. LEONARD TETI. II D. SCOTT BENNETT TING S. CHEN CHRISTOPHER K. FARGO KENNETH C. HALCOM DAVID M. STUART AARON M. GRUBER O. KEITH HALLAM, III OMID H. NASAB DAMARIS HERNÁNDEZ JONATHAN J. KATZ RORY A. LERARIS KARA L. MUNGOVAN MARGARET T. SEGALL

NICHOLAS A. DORSEY
ANDREW C. ELKEN
JENNY HOCHENBERG
VANESSA A. LAVELY
G.J. LIGELIS JR.
MICHAEL E. MARIANI
LAUREN R. KENNEDY
SASHA ROSENTHAL-LARREA
ALLISON M. WEIN
MICHAEL P. ADDIS
JUSTIN C. CLARKE
SHARONMOYEE GOSWAMI
C. DANIEL HAAREN
EVAN MEHRAN NORRIS
LAUREN M. ROSENBERG

SPECIAL COUNSEL SAMUEL C. BUTLER

OF COUNSEL MICHAEL L. SCHLER CHRISTOPHER J. KELLY

October 18, 2020

<u>In re GreenSky Securities Litigation</u> No. 1:18-cv-11071

Dear Judge Hellerstein:

We write on behalf of all Parties in the above-captioned Action¹ to update the Court in advance of the October 19, 2020 conference to review and resolve privilege disputes. (*See* ECF No. 160.) Following several meet and confers, the Parties have been able to resolve all privilege challenges and do not require the Court's intervention on such issues.

The Parties of course remain available to meet with the Court on October 19, 2020, to address any other issues the Court wishes.

Respectfully,

/s/ Lauren R. Kennedy

Lauren R. Kennedy

¹ The Parties to this Action are Lead Plaintiffs Northeast Carpenters Annuity Fund, El Paso Fireman & Policemen's Pension Fund, and the Employees' Retirement System of the City of Baton Rouge and Parish of East Baton Rouge; GreenSky Defendants GreenSky, Inc., David Zalik, Robert Partlow, Joel Babbit, Gerald Benjamin, John Flynn, Nigel Morris, Robert Sheft; and Underwriter Defendants Goldman Sachs & Co. LLC, J.P. Morgan Securities LLC, Morgan Stanley & Co. LLC, Citigroup Global Markets Inc., Credit Suisse Securities (USA) LLC, Merrill Lynch, Pierce, Fenner & Smith Inc., SunTrust Robinson Humphrey, Inc., Raymond James & Associates, Inc., Sandler O'Neill & Partners, L.P., Fifth Third Securities, Inc., and Guggenheim Securities, LLC.

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
40 Foley Square, Room 1050
New York, NY 10007

cc: All Counsel of Record (via ECF)